

U.S. Appln. No. 09/972,816
Reply to Final Office Action dated July 14, 2006

PATENT
450104-02976

REMARKS/ARGUMENTS

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Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS.

Claims 1-13, 15-18 and 20 are pending. Claims 1, 6, 11 and 16, which are independent, are hereby amended. Claims 14 and 19 are hereby canceled without prejudice or disclaimer of any subject matter. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed and specifically on page 9. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,414,725 to Clarin, et al. (hereinafter, merely "Clarin") in view of U.S. Pub. No. 2001/0055336 to Krause, et al. (hereinafter, merely "Krause") and further in view of U.S. Patent No. 5,488,433 to Washino, et al. (hereinafter, merely "Washino").

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Claim 1 recites, *inter alia*:

“A video data recording apparatus comprising...

storing means for storing at least said first encoded data and said second encoded data;

transmitting means for transmitting said second encoded data outputted from said second data processing means; and

wherein said second encoded data is stored by said storing means and substantially simultaneously transmitted by said transmitting means.” (Emphasis added)

As understood by Applicant, Clarin relates to a data storage system that simultaneously stores incoming data in a plurality of different digital formats linked together to permit economical accessibility and browsing of stored content by providing user access to reduced-resolution versions of stored format.

As understood by Applicant, Krause relates to a compressed video decoder/encoder (reencoder) system for varying the compression ratio of a compressed video program. The composite reencoder system implements tightly coupled elements for decoding and encoding compressed video data implementing techniques of header forwarding and utilizing an architecture in which a shared motion compensator supports both decoding and encoding operations simultaneously.

As understood by Applicant, Washino relates to a video recording system associated with the editing of program materials, and, more particularly, to a system that takes advantage of a PC-based platform for performing non-linear editing functions.

Applicant respectfully submits that Clarin, Krause and Washino, taken either alone or in combination, do not teach or suggest the above identified features of claim 1. Specifically, Clarin, Krause and Washino do not teach or suggest a video data recording apparatus comprising a storing means and a transmitting means, wherein said second encoded

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data is stored by said storing means and substantially simultaneously transmitted by said transmitting means, as recited in independent claim 1.

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Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 6, 11 and 16 are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

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Respectfully submitted,

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